

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

E.K. and S.K., minors, by and through their parent and next friend LINDSEY KEELEY; O.H., S.H., and H.H., minors, by and through their parent and next friend JESSICA HENNINGER; E.G., a minor, by and through his parent and next friend MEGAN JEBELES; E.Y. and C.Y., minors, by and through their parent and next friend ANNA YOUNG; L.K., L.K., and L.K., minors, by and through their parent and next friend ANNA KENKEL; and M.T., a minor, by and through her parent and next friend NATALIE TOLLEY,

Plaintiffs,

v.

DEPARTMENT OF DEFENSE  
EDUCATION ACTIVITY; DR. BETH  
SCHIAVINO-NARVAEZ, in her official  
capacity as Director of the Department of  
Defense Education Activity; and PETER  
BRIAN HEGSETH, in his official capacity as  
Secretary of Defense,

Defendants.

Case No. 1:25-cv-00637-PTG-IDD

Hon. Patricia Tolliver Giles

**DECLARATION OF ANNA KENKEL IN SUPPORT OF  
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Anna Kenkel, declare as follows,

1. I am more than 18 years old, competent to be a witness, and the facts set forth in this declaration are based on my own personal knowledge.

2. This declaration is made in my personal capacity as a parent, and it is not intended

to, nor does it represent the position of the United States Government, the Department of Defense (DoD), or any of the Armed Services.

3. I am married to an active-duty service member stationed at the Misawa Air Base in Japan.

4. We have four children, three of whom currently attend DoD Educational Activity (DoDEA) schools on the Misawa Air Base. We have had at least one child in a DoDEA school since 2017. Currently, L.K. 1 is in fourth grade and L.K. 2 is in sixth grade at Sollars Elementary School. L.K. 3 is in eighth grade at Edgren Middle High School. My youngest child is two years old and not yet in school.

5. My two youngest daughters, L.K. 1 and L.K. 2, do gymnastics and drama. Their DoDEA teachers are supportive of their interests. My oldest daughter, L.K. 3, is a passionate and involved student. She is a member of the student council, participates in drama, and she plays tennis. All of these activities, with the exception of gymnastics, are run through my daughters' DoDEA schools.

6. Until recently, my family has had a great experience with DoDEA schools. My daughters love school and are passionate about learning. I have also experienced the high-quality, well-rounded DoDEA education firsthand: I attended a DoDEA elementary school in The Philippines, as a child, and I worked as a DoDEA teacher in Japan from 2009 through 2010. I also currently volunteer as the Secretary for the Parent Teacher Organization at Sollars Elementary. As PTO Secretary, I help run book fairs, fundraisers, and other school events, often collaborating with teachers and others from the school community. My role provides me visibility into the school, and as a result, I am very familiar with the contents of the school library and the educational programming at the school.

7. One of the things I have always appreciated most about DoDEA is the high value placed on diversity and learning from difference. We are part of a school community full of people who appreciate the opportunity to live overseas and learn about and celebrate a variety of cultures. Many parents, including myself, choose to send their children to DoDEA schools for that type of enrichment. The DoDEA schools I have had experience with as a student, parent, teacher, and volunteer have celebrated their multi-culturalism. Because of the current administration's attacks on all things Diversity, Equity, and Inclusion (DEI), this rewarding and appealing aspect of DoDEA schools and students' experiences is being harmed.

8. Earlier this year, the White House issued three Executive Orders that DoDEA has cited as justification for the changes we are starting to see in our school. Those Executive Orders are Order No. 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government; Order No. 14185, Restoring America's Fighting Force and Order No. 14190, Ending Radical Indoctrination in K-12 Schooling (collectively, the "Executive Orders").

9. We have since learned that many high-quality books would be removed from DoDEA schools, purportedly in compliance with these orders. My daughter in eighth grade (L.K. 3) is interested in reading some of the books. On the day we found out the books would soon be removed, L.K. 3 tried to check out some of the books from the school library. The school librarian scolded her, refusing to allow her to check out the books. This caused my daughter great distress. Since then, she has not been able to check out those books, which included *The Giver* by Lois Lowry, *Nineteen Eighty-Four* by George Orwell, and *Ground Zero* by Alan Gratz. These books have since been removed from the school library and they have been unavailable since February 2025. Her favorite book, *A Handmaid's Tale* by Margaret Atwood, has also been removed.

10. L.K. 1 and L.K. 2 have also already had dozens of books purportedly related to “gender ideology” removed from their school library. Although I have not been able to verify all of the contents, I received a list of the books removed and have been able to confirm that at least some of the books on this list are no longer in the library, including, for example, *No Truth Without Ruth: The Life of Ruth Bader Ginsberg* and *Finding Wonders: Three Girls Who Changed Science*. These are age-appropriate books that teach children about prominent historical figures’ lives. They are being removed simply because the historical figures are women. A true and correct copy of the list of removed books I received is attached as **Exhibit A**.

11. L.K. 3 (my eighth grader) is an avid reader and has been very upset by the removal of books and curricular materials from her school. She helped organize and participated in two walkouts to protest the changes at her school. She was the only middle school student to participate in the second walkout. After her participation, L.K. 3 was called into the principal’s office and reprimanded.

12. My daughters’ schools have also made changes to the curriculum in response to the Executive Orders. For example, L.K. 1 (my fourth grader) has already had curricular materials relating to immigration removed from her class. Lesson 3 titled “The Peopling of the United States” has been removed. The reading associated with this lesson was *A Nation of Immigrants* by John F. Kennedy.

13. L.K. 2 (my sixth grader) has also suffered irreparable harm from having important information withheld from her health curriculum. She is being denied access to critical information about physical wellbeing and health. These changes could also affect my other daughters. It is my understanding that the Physical Education Teacher at Edgren Middle High School was required to teach sexual education, and he refused to teach the lesson because of his religious beliefs.

14. The curricular changes extend to cultural celebrations at my daughters' DoDEA schools as well. Previously, multicultural holidays were integrated into the DoDEA curriculum. For example, at the end of the year, the students have historically put together a cultural performance. This was a highlight for students and families. Even though the celebration often focused on Hispanic culture, *all* students participated. These opportunities for cultural exchange and engagement are some of my favorite things about DoDEA schools.

15. This year, after the Executive Orders, the teachers at Sollars Elementary School took down a bulletin board celebrating Black History Month and Women's History Month. Many cultural celebrations were also cancelled. The only cultural celebrations allowed have been those considered to be "host nation" celebrations. A packet on Black history was also removed from the curriculum for L.K. 2. This packet included a resource titled "My Friend in Learning Professional Learning - New for You Seasonal Bundle: Black History Month 2025." My daughters are being denied the opportunity to learn about the history of historically marginalized people in the United States.

16. My daughters have also been particularly negatively impacted by the cancellation of Holocaust Remembrance Day. My husband is half-Jewish and has relatives who were killed during the Holocaust. I am worried that my daughters and their classmates will miss out on important historical information and lose the chance to see their family history reflected in the curriculum.

17. Because my youngest child is not yet enrolled in school, he has not been directly impacted by the book and curriculum removals at DoDEA schools. He is biracial, however, and the cancellation of Black History Month and likely cancellation of Juneteenth celebrations has negatively impacted our family acutely. It is very important to our family to learn about and

celebrate Black history and culture. In the past, DoDEA schools have celebrated Juneteenth. I have requested information on whether Juneteenth will be celebrated this year but have not yet received an answer.

18. My three older children are very upset by their schools' recent refusal to recognize heritage months and restrict their access to culturally inclusive books and materials. I believe that the removal of these curricular materials, the cancellation of Black History Month and similar programs, and the removal of books has severely impacted all of my children's opportunity to obtain a high-quality education at their DoDEA school.

19. Individual school leaders seem to be doing their best to serve their students and continue providing a well-founded education. However, I continue to worry that the President's Executive Orders will require the removal of more high-quality, age-appropriate materials and books from my children's schools.

20. The changes have been made without notification, transparency, or input from parents, which I believe is a violation of DoDEA's legal obligations. In early March 2025, I submitted a Freedom of Information Act (FOIA) request to DoDEA seeking information regarding the recent book and curriculum removal reviews and potential removals of curricula and library materials in DoDEA schools. I received acknowledgment of my request from the FOIA office. Although I was promised a response within 20 days, as required by the administrative rules of the FOIA program, I have not received any of the requested information. Attached as **Exhibit B** are true and correct copies of my correspondence with the FOIA office regarding this request.



21. The school and curriculum changes have weighed very heavily on my daughters. They are worried about their and their friends' ability to receive a high-quality education in DoDEA schools given the ongoing censorship of diverse viewpoints.

22. Since the signing of President Trump's Executive Orders targeting DEI, I have become very concerned with the negative impacts on my children's current and future education in DoDEA schools. The changes I have seen in my daughters' schools have deprived them of a well-rounded education, and my family fears the situation will only get worse. Before the Executive Orders, our family decided that my husband would retire in the fall. In the wake of the Executive Orders and related DoDEA actions, I am now confident that we made the right decision because despite my love for DoDEA schools, they cannot provide the same high-quality education that I have known.

I declare under penalty of perjury that the foregoing is true and correct, and that this

declaration was executed on MAY 6, 2025 at MISAWA,  
JAPAN.



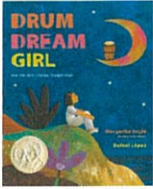







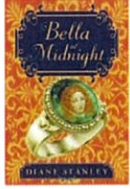

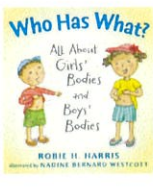

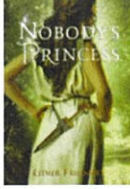

Anna Kenkel







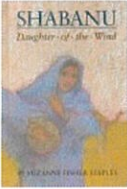













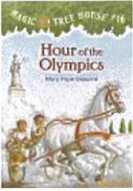





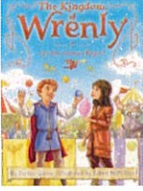







# EXHIBIT A

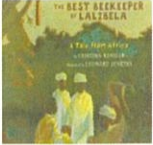

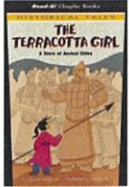



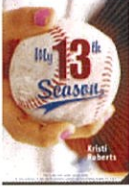







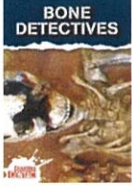



37 basket items for **gender ideology**

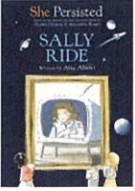

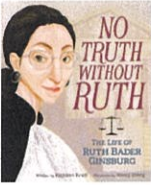



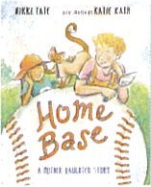

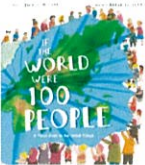

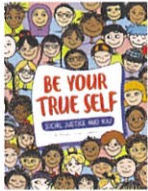

Cover	Type	Title	Author	Branch	Collection	Call Number	Status
		Drum dream girl : how one girl's courage changed music	Lo?pez, Rafael, Engle, Margarita	Library		E ENG	Available
		The ghost of Sir Herbert Dungeonstone	McMullan, Kate, Basso, Bill	Library		F MCM	Available
		Finding wonders : three girls who changed science	Atkins, Jeannine	Library		F ATK	Available
		Madam President	Smith, Lane	Library		E SMI	On Loan
		Bella at midnight	Ibatoulline, Bagram, Stanley, Diane	Library		F STA	Available
		Who has what? : all about girls' bodies and boys' bodies	Westcott, Nadine Bernard, Harris, Robie H	Library		612.6 HAR	Available
		Nobody's princess	Friesner, Esther M	Library		F FRI	Available

Cover	Type	Title	Author	Branch	Collection	Call Number	Status
		Interstellar Cinderella	Underwood, Deborah, Hunt, Meg	Library		E UND	Available
		The trouble with May Amelia	Holm, Jennifer L, Gustavson, Adam	Library		F HOL	Available
		The curious world of Calpurnia Tate	Kelly, Jacqueline	Library		F KEL	Available
		Shabanu : daughter of the wind	Staples, Suzanne Fisher	Library		F STA	Available
		Our only May Amelia	Holm, Jennifer L	Library		F HOL	Available
		Crane	Stone, Jeff	Library		F STO	Available
		Palace of stone	Hale, Shannon	Library		F HAL	Available
		Jane and the dragon	Baynton, Martin	Library		E BAY	Available

Cover	Type	Title	Author	Branch	Collection	Call Number	Status
		Julia is a mermaid	Love, Jessica	Library		E LOV	Available
		Hour of the Olympics	Murdocca, Sal, Osborne, Mary Pope	Library		F OSB	Available
		Mickey & me	Gutman, Dan	Library		F GUT	Available
		Hannah Pritchard : pirate of the Revolution	Pryor, Bonnie	Library		F PRY	Available
		Let the games begin!	McPhillips, Robert, Quinn, Jordan	Library		F QUI	Available
		Palace of stone	Hale, Shannon	Library		F HAL	Available
		Chu Ju's house	Whelan, Gloria	Library		F WHE	Available
		Punxsutawney Phyllis	Hill, Susanna Leonard, Ebbeler, Jeffrey	Library		E HIL	Available

Cover	Type	Title	Author	Branch	Collection	Call Number	Status
		The best beekeeper of Lalibela : a tale from Africa	Jenkins, Leonard, Kessler, Cristina	Library		E KES	Available
		The terracotta girl : a story of ancient China	Hu, Caroline, Gunderson, Jessica	Library		F GUN	Available
		Freckleface Strawberry : best friends forever	Moore, Julianne, Pham, LeUyen	Library		E MOO	Available
		My 13th season	Roberts, Kristi	Library		F ROB	Available
		Dragon dreams	Florian, Melanie, Rennert, Laura	Library		F REN	Available
		Batcat. 1	Ramm, Meggie	Library		741.5 RAM	Available
		Rapunzel lets her hair down	Warburton, Sarah, Bradman, Tony	Library		F BRA	On Loan
		Bone detectives	Townsend, John	Library		614 TOW	Available



Cover	Type	Title	Author	Branch	Collection	Call Number	Status
		Sally Ride	Abawi, Atia, Flint, Gillian	Library		921 RID	Available
		No truth without Ruth : the life of Ruth Bader Ginsburg	Krull, Kathleen, Zhang, Nancy	Library		921 GIN	Available
		Regarding the trees : a splintered saga rooted in secrets	Klise, M. Sarah, Klise, Kate	Library		F KLI	Available
		Home base : a mother- daughter story	Kath, Katie, Tate, Nikki	Library		E TAT	Available
		If the world were 100 people	McCann, Jacqueline, Cushley, Aaron	Library		304.6 MCC	Available
		Be your true self	Gonzalez, Maribel Valdez	Library		155.2 GON	Available

# **EXHIBIT B**

Case 1:25-cv-00637-PTG-IDD Document 10-26 Filed 05/07/25 Page 15 of 18  
PageID# 437  
**From:** FOIA/PA Requests <FreedomofInformationAct/PARequests@dodea.edu>

**Date:** March 6, 2025 at 3:54:15 AM GMT+9

**To:** anna.kenkel@gmail.com

**Subject: Acknowledgement to FOIA Request Case Number 25-F-00157**

Dear Anna Kenkel:

This letter is to acknowledge receipt of your Freedom of Information Act (FOIA) request dated March 04, 2025, which I received March 05, 2025, for a copy of “5 March 2025 FOIA Officer Civil Rights Program Department of Defense Education Activity (DoDEA) 4800 Mark Center Drive Alexandria, VA 22350-1400 Subject: FOIA Request for Records Related to the Review and Potential Removal of Curricula and Library Materials Dear FOIA Officer, Pursuant to the Freedom of Information Act (5 U.S.C. § 552), I hereby request access to and copies of all records and documents, including but not limited to internal communications, meeting minutes, policies, criteria, and procedural guidelines regarding the recent reviews and potential removals of curricula and library materials in DoDEA schools. Specifically, I am interested in records that address the following areas: 1. Review Process: - The criteria and guidelines used to assess and determine which curricula and library materials are subject to review or removal. - Documentation detailing the transparency and decision-making process associated with these reviews. 2. Compliance with the Executive Order on Diversity, Equity, and Inclusion (DEI): - Any records that explain how DoDEA’s review and removal actions align with the mandates of the DEI Executive Order, particularly with respect to ensuring equitable representation of diverse perspectives and historical contexts. - Information regarding measures taken to ensure that these processes do not disproportionately limit access to materials representing marginalized or underrepresented communities. 3. Appeals or Complaints Process: - Documentation on the formal channels available for parents, educators, or community members to submit appeals or complaints regarding the removal of educational materials. - Any records relating to the implementation or outcomes of this process. If available in electronic format, please provide the records in that medium. If some records are withheld in part or in full, please provide a detailed justification for the denial, including the specific exemption(s) under FOIA that apply. Thank you for your prompt attention to this request. Please contact me at [Anna.kenkel@gmail.com](mailto:Anna.kenkel@gmail.com) if you require any additional information or clarification regarding this request. Sincerely, Anna Kenkel DODEA Parent at Misawa AB, Japan”.

Your request has been assigned FOIA case number 25-F-00157.

Under the administrative rules of the FOIA program, the agency has 20 working days from the date of this letter to respond to your request. It is important to note your request will be processed in the order it was received. Also, you are considered a Private Individual requester, and as such, is entitled to 2 hours of search time to find request documents and 100 pages of copying free of charge. If charges exceed the amount stated, you will be contacted for approval before proceeding with the FOIA process.

Your request will be answered as quickly as possible. If you have any questions, please contact our office at [FOIA@dodea.edu](mailto:FOIA@dodea.edu).

From: Anna Kenkel <anna.kenkel@gmail.com>

Case 1:25-cv-00637-PTG-IDD Document 10-26 Filed 05/07/25 Page 16 of 18  
PageID# 438

Sent: Monday, April 7, 2025 7:01 PM

To: FOIA/PA Requests <FreedomofInformationAct/PARRequests@dodea.edu>

Subject: FOIA 25-F-00157

\*\*\*This message originated from outside of DoDEA.\*\*\*

Hello,

It has been over 20 working days and I have received a response. Could you please follow the guidelines and provide a response?

Very Respectfully,

Anna Kenkel

Sent from my iPhone



## Email Details

<b>From:</b>	foia@dodea.edu
<b>To:</b>	anna.kenkel@gmail.com
<b>Cc:</b>	
<b>Bcc:</b>	
<b>Subject:</b>	DoDEA FOIA Interim Response to FOIA Request Case Number 25-F-00157
<b>Date Sent:</b>	4/3/2025 9:52:13 AM
<b>Attachments:</b>	
<b>Body:</b>	<p>Dear Anna Kenkel:</p> <p>This letter is in regard to your Freedom of Information Act (FOIA) request dated March 04, 2025, which I received March 05, 2025, for a copy of “5 March 2025 FOIA Officer Civil Rights Program Department of Defense Education Activity (DoDEA) 4800 Mark Center Drive Alexandria, VA 22350-1400 Subject: FOIA Request for Records Related to the Review and Potential Removal of Curricula and Library Materials Dear FOIA Officer, Pursuant to the Freedom of Information Act (5 U.S.C. § 552), I hereby request access to and copies of all records and documents, including but not limited to internal communications, meeting minutes, policies, criteria, and procedural guidelines regarding the recent reviews and potential removals of curricula and library materials in DoDEA schools. Specifically, I am interested in records that address the following areas: 1. Review Process: - The criteria and guidelines used to assess and determine which curricula and library materials are subject to review or removal. - Documentation detailing the transparency and decision-making process associated with these reviews. 2. Compliance with the Executive Order on Diversity, Equity, and Inclusion (DEI): - Any records that explain how DoDEA’s review and removal actions align with the mandates of the DEI Executive Order, particularly with respect to ensuring equitable representation of diverse perspectives and historical contexts. - Information regarding measures taken to ensure that these processes do not disproportionately limit access to materials representing marginalized or underrepresented communities. 3. Appeals or Complaints Process: - Documentation on the formal channels available for parents, educators, or community members to submit appeals or complaints regarding the removal of educational materials. - Any records relating to the implementation or outcomes of this process. If available in electronic format, please provide the records in that medium. If some records are withheld in part or in full, please provide a detailed justification for the denial, including the specific exemption(s) under FOIA that apply. Thank you for your prompt attention to this request. Please contact me at Anna.kenkel@gmail.com if you require any additional information or clarification regarding this request. Sincerely, Anna Kenkel DODEA Parent at Misawa AB, Japan”.</p>

Your request has been assigned FOIA case number 25-F-00157.

We are currently unable to meet the 20-business day suspense. We are currently estimating a completion date of April 17,2025. The Agency is working as quickly as possible to process your request.

Please note, you have the right to seek dispute resolution service from the OSD FOIA Public Liaison, Ms. Toni Fuentes at 571-372-0462, email at OSD.FOIALiaison@mail.mil. Additionally, you may contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769 for any further assistance and to discuss any aspect of your request.

If you have any questions, please feel free to contact our office at FOIA@hq.dodea.edu.

Sincerely,

Freedom of Information Act/Privacy Act

Requester Service Center